IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

FRIDAY, THE 13TH APRIL, 2007 / 23RD CHAITHRA, 1929

WP(C).No. 13011 of 2007(Y)

PETITIONER:

FRANCIS S/O.PAULOSE,
PANAKAL HOUSE,MADAKKI MALA P.O.,KALPETTA.

BY ADV. SRI.PULIKKOOL ABUBACKER
SRI.ZUBAIR PULIKKOOL
SMT.RAKHI K.KUMAR

RESPONDENTS:

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1. THE COMMISSIONER OF EXCISE,
THIRUVANANTHAPURAM.

2. ARUN KUMAR, S/O.CHANDRAN NAIR,
UNION ENTERPRISES, KALPETTA.

R1 BY GOVT. PLEADER SRI.I.V.PRAMOD.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 13/04/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

S. SIRI JAGAN, J.

WP(C) NO. 13011 OF 2007 Y

Dated this the 13th day of April, 2007

J U D G M E N T

The petitioner is the Chairman of a registered charitable trust at Vayanad. He is seriously aggrieved by the location of a liquor shop near the church by name, Indian Evangelical Lutheran Church. An application has been filed by the second respondent for issue of an FL-3 licence near the church. The petitioner seriously objects to the location of the said liquor shop. Therefore, he filed Ext.P1 representation before the first respondent. He seeks a direction to the first respondent to consider and dispose of Ext.P1 representation.

2. I have heard learned counsel for the petitioner as also the learned Government Pleader.

3. Having heard both sides, I direct the first respondent to consider and pass appropriate orders on Ext.P1, as expeditiously as possible, at any rate within a period of one month from the date of receipt of a copy of this judgment, after affording an opportunity of being heard to the petitioner as well as the second respondent. However, I make it abundantly clear

that I have not considered the merits of the contentions of the petitioner while directing disposal of Ext.P1. It would be for the first respondent to consider all aspects of the case in accordance with law.

The writ petition is disposed of with the above direction.

S. SIRI JAGAN,
Judge

Mbs/

S.SIRI JAGAN, J

W.P.(C) NO. OF 2001

J U D G M E N T

DATED:13-02-2007